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INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR THE ELABORATION OF AN INTERNATIONAL
CONVENTION TO COMBAT DESERTIFICATION
IN THOSE COUNTRIES EXPERIENCING SERIOUS
DROUGHT AND/OR DESERTIFICATION,
PARTICULARLY IN AFRICA
Tenth session
New York, 6-17 January 1997
Agenda item 2

DESIGNATION OF A PERMANENT SECRETARIAT AND ARRANGEMENTS FOR ITS FUNCTIONING: ADMINISTRATIVE ARRANGEMENTS

Note by the Secretariat

I. INTRODUCTION

1. In decision 9/7, adopted at its ninth session, the INCD invited its members to submit to the Secretariat by 30 September 1996 any questions they may have concerning the offers of the Secretary-General of the United Nations (UN) and the Executive Director of the United Nations Environment Programme (UNEP) to provide overall administrative support to the Permanent Secretariat. The same decision requested the Secretariat to transmit these questions to the Secretary-General and the Executive Director and to compile the questions, along with the answers provided, in a document to be considered at the tenth session of the INCD. The following section contains the compilation requested.

2. The Secretariat received questions from three governments and duly transmitted them to the UN and UNEP. Since there was considerable overlap in the questions, they were consolidated to avoid repetition. Not surprisingly, since UNEP is a UN programme, the answers were also similar in some cases. They are, therefore, summarized together, with differences in the responses noted clearly.

II. COMPILATION OF QUESTIONS AND ANSWERS

A. What would be the extent and range of services that each institution is prepared to provide?

3. Sections C and D of the Secretary-General's offer, contained in document A/AC.241/44, describe in considerable detail the administrative services that the United Nations could provide to the Permanent Secretariat. Similarly, sections 6 and 7 of the UNEP offer, contained in document A/AC.241/55/Add.2, lay out the details of possible UNEP services. It would be difficult to be more specific until more is known about the size, location and nature of the Permanent Secretariat. It should be kept in mind that neither offer envisages the full integration of the Permanent Secretariat into the work programme or management structure of UNEP or another UN department or programme.

B. To what degree would each institution absorb the costs of providing services and how would it deal with overhead costs?

4. In both cases, the relevant services would be provided as part of the normal operations of the specialized administrative units in the best position to do so. These units could not be designated until the physical location of the Permanent Secretariat is known and its activities are clearer. Setting up separate units dedicated to Permanent Secretariat services would be costly and inefficient. Neither organisation would absorb the costs of providing relevant services. Rather, they would be covered by overhead charges.

5. As indicated in paragraph 4 of document A/AC.241/55, which contains an amendment to the offer of the Secretary-General, the level of overhead charges by the United Nations would be determined, once the sources of services was designated, on the basis of actual costs incurred.

6. Other than conference services (discussed below), UNEP would cover the costs of providing the services with a standard 13 percent administrative support charge levied on expenditures from the funds to be managed in accordance with the financial rules of the Convention adopted by the Conference of the Parties (COP). A recent analysis for the UNEP Governing Council concluded that this practice was on average broadly consistent with the administrative workload that services create.

C. What staff time would be required in each case to provide the services?

7. Neither institution could estimate the staff time involved in providing services until it knows the size of the Permanent Secretariat, its location and the services required.

D. Would each institutions be prepared to second staff to work with the Permanent Secretariat, wherever located, or to pay the salaries of particular staff?

8. As indicated in paragraph 12 of document A/AC.241/44, under the terms of the Secretary-General's offer, the UN Secretariat, programmes and specialized agencies could assign, loan or second on a reimbursable basis staff to the Permanent Secretariat in accordance with the inter-organisation agreement on such matters among organisations applying the UN common system of salaries and allowances. Administrative staff provided by the UN Secretariat could be seconded using funds available from overhead generated by the resources available to the Permanent Secretariat.

9. UNEP is charged with supporting environmental convention secretariats and therefore is mandated to assist them on request if able. At the present time, UNEP has seconded staff to such secretariats in Montreal, Bonn, Geneva, Athens and Kingston. The main role of seconded staff is financial control (including project management), personnel/staff support and travel arrangements, with other administrative services provided by UNEP headquarters in Nairobi. Administrative staff could be seconded to the Permanent Secretariat under similar arrangements and paid from the 13 percent administrative support charge. In addition, UNEP would consider, within available resources, to second substantive staff to the Permanent Secretariat and pay their salaries from the Environment Fund.

E. How would the location of the Permanent Secretariat affect the extent and cost of the services provided by each institution?

10. The extent of administrative support would depend on the activities and staffing pattern of the Permanent Secretariat to be decided by the Conference of the Parties, which would be the same regardless of location. Since the cost of living is different in the three candidate cities, the operating costs and staff remuneration of the Permanent Secretariat would, however, vary with its location. This means that, in both cases, overhead charges for administrative support would also be location dependent. In the UN case, the actual costs of providing administrative services, on which overhead charges would be based, would depend on the varying costs of the units most suited to provide services at different locations. In the UNEP case, the overhead charge would be different in each location because the expenditures on which it is based would not be the same.

F. How would the Conference Services costs of the session of the COP and its subsidiary bodies be met? Would the institutions absorb any of these costs?

11. Both organizations assume that the costs of meetings of the COP and its subsidiary bodies would be met from the Convention budget approved by the Parties. UNEP could make conference service facilities available in Nairobi but would charge for them based on actual costs incurred.

G. What would be the extent of, arrangements for, and costs of linkages with other UN organisations? How would such linkages be managed and responsibilities delegated?

12. As indicated in paragraphs 8 and 23 of his offer, the Secretary-General would expect a number of UN departments, programmes and agencies to cooperate in support of COP, its subsidiary bodies and the Permanent Secretariat. He believes it would be appropriate for cooperating entities to enter directly into arrangements specifying the nature of support each would provide to the Permanent Secretariat. It would not be possible to predict the nature or costs of such arrangements until they were actually negotiated.

13. The links that UNEP would visualize with other UN entities would be mainly substantive in nature except that, depending on the location of the Permanent Secretariat, it might delegate responsibility for some administrative services from its headquarters in Nairobi to UNDP field offices or UNEP regional offices. In these cases, any costs incurred would be charged to the administrative support account so they would not create additional expenses for the Convention budget.

14. UNEP's offer does incorporate the suggestion that, should it be the wish of the COP, specific links could be made with other organisations for the provision of services to the Permanent Secretariat. At this time, no specific arrangements have been explored but they could be elaborated as required. UNEP already has a partnership arrangement with UNDP covering cooperation on drylands work, but at present this deals with substantive rather than administrative matters. More generally, UNEP would hope to integrate its long-standing substantive programme in the area of desertification control with that approved by the COP for the Permanent Secretariat so they could be mutually supportive.

H. What would each institution envisage regarding the activities and staffing pattern of the Permanent Secretariat? How would the operating costs of the Permanent Secretariat compare in each case? Would it employ temporary personnel?

15. These questions are beyond the role of the institution providing overall administrative services to the Permanent Secretariat. They concern budgetary or other matters to be decided by the COP, or by the head of the Permanent Secretariat under the guidance of the COP, in accordance with the financial rules. Document A/AC.241/63, which the Secretariat is preparing for consideration at the tenth session of the INCD, should respond to such concerns by presenting an initial framework of activities in the Convention budget, including the staffing of the Permanent Secretariat.